

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOSE LEWIS ALFARO, JR.
Plaintiff

VS.

JASON DANIEL GANDY,
Defendant

§
§
§
§
§
§
§
§

No. 4:18-cv-1761
(Hon. Gray H. Miller)

ORIGINAL ANSWER OF DEFENDANT JASON DANIEL GANDY

Defendant Jason Daniel Gandy now files his Original Answer to Plaintiff's Original Complaint, and would show the Honorable Court as follows:

First Defense

Plaintiff has failed to state a claim upon which relief can be granted.

**Second Defense
(Admissions and Denials)**

1. Mr. Gandy denies the allegations in Paragraph 1.
2. Mr. Gandy denies the allegations in Paragraph 2.
3. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the first sentence of Paragraph 3, but denies the allegations as to Defendant contained in the second sentence of Paragraph 3.
4. Mr. Gandy agrees that the Court has jurisdiction over this case.
5. Mr. Gandy agrees that venue is proper in the Southern District of Texas.
6. Mr. Gandy denies the allegations in Paragraph 6.

7. Mr. Gandy denies the allegations in Paragraph 7.
8. Mr. Gandy admits the allegations in Paragraph 8.
9. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 9.
10. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 10.
11. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 11.
12. Mr. Gandy denies the allegations in Paragraph 12.
13. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 12.
14. Mr. Gandy denies the allegations in Paragraph 14.
15. Mr. Gandy denies the allegations in Paragraph 15.
16. Mr. Gandy denies the allegations in Paragraph 16.
17. Mr. Gandy denies the allegations in Paragraph 17.
18. Mr. Gandy denies the allegations in Paragraph 18.
19. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in the first clause of Paragraph 19, but denies enticing or coercing Plaintiff.
20. Mr. Gandy denies the allegations in Paragraph 20.
21. Mr. Gandy denies the allegations in Paragraph 21.
22. Mr. Gandy denies the allegations in Paragraph 22.

23. Mr. Gandy denies the allegations in Paragraph 23.
24. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 24, but denies involvement in any rape of Plaintiff.
25. Mr. Gandy denies the allegations in Paragraph 25.
26. Mr. Gandy denies the allegations in Paragraph 26.
27. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 27, but denies the portion of Paragraph 27 that incorporates the allegation in Paragraph 26 that Plaintiff discovered child pornography in Mr. Gandy's possession.
28. Mr. Gandy admits the first clause in Paragraph 28 alleging that he was charged with a criminal offense, but denies that he committed the underlying conduct.
29. Mr. Gandy admits the allegations in Paragraph 29.
30. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 30, but denies that he victimized anyone or planned to victimize anyone in the future.
31. Mr. Gandy admits the allegations in Paragraph 31 that he was indicted, but denies the conduct underlying the indictment.
32. Mr. Gandy admits the allegations in Paragraph 32.
33. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 33, but denies exploiting Plaintiff.
34. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 34, but denies exploiting Plaintiff.

35. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 35, but denies trafficking and abusing Plaintiff.
36. Mr. Gandy lacks knowledge or information sufficient to form a belief as to the allegations in Paragraph 36, but denies exploiting Plaintiff.
37. Mr. Gandy incorporates his answers, *supra*, to the allegations in Paragraph 37 (incorporation paragraph).
38. Mr. Gandy denies the allegations in Paragraph 38.
39. The allegations in Paragraph 39 call for a legal conclusion and thus require no responsive pleading.
40. Mr. Gandy denies the allegations in Paragraph 40.
41. The allegations in Paragraph 41 call for a legal conclusion and thus require no responsive pleading.

Request for Jury Trial

42. Mr. Gandy requests a trial by jury.

Request for Attorneys' Fees

43. This lawsuit is without merit and was filed solely for purposes of harassment. Mr. Gandy requests that he be awarded his attorneys' fees and costs.

WHEREFORE, PREMISES CONSIDERED, Defendant Jason Daniel Gandy requests that Plaintiff take nothing against him, that he be awarded his attorneys' fees and costs, and for such other and further relief for which he may show himself entitled.

Respectfully submitted,

/s/ Sean Buckley

Sean Buckley

Texas Bar No. 24006675

770 South Post Oak Lane, Ste. 620

Houston, Texas 77056

TEL: 713-380-1220

FAX: 713-552-0746

Email: buckleyfirm@gmail.com

CERTIFICATE OF SERVICE

I certify that on this the 8th day of July, 2018, I provided a true and correct copy of the foregoing pleading to Plaintiff and all counsel via the ECF system.

/s/ Sean Buckley

Sean Buckley